IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 16TH MARCH 2007 / 25TH PHALGUNA 1928

WP(C).No. 20245 of 2003(I)

PETITIONER:

MRS.ANNAMMA AUGUSTHY, INCHIYANICKAL,
AMBALAKAVALA, KATTAPPANA SOUTH P.O.,
IDUKKI DISTRICT.

BY ADV. SRI.S.SACHITHANANDA PAI

RESPONDENTS:
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1. THE DISTRICT COLLECTOR, IDUKKI.

2. DEPUTY TAHSILDAR, REVENUE RECOVERY
UDUMBANCHOLA TALUK, NEDUMKANDOM P.O.

3. KERALA MOTOR TRANSPORT WORKERS
WELFARE FUND BOARD, REP.BY ITS CHIEF EXECUTIVE OFFICER,
KOLLAM.

4. THOMAS JOSEPH, KANJIRATHUM VEETTIL,
KUZHITHOLU, KARUNAPURAM P.O., IDUKKI DISTRICT.

R1 AND R2 BY GOVERNMENT PLEADER SMT. R. BINDU
R3 BY SC SRI. P. RAMAKRISHNAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON I.A.NO. 6945 OF 2003 IN OP 20245 OF 2003

DISMISSED

16.3.2007 SD/-C.N.RAMACHANDRAN NAIR, JUDGE.

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF SALE LETTER FOR THE TRANSACTION DATED 16.12.2000 BETWEEN PETITIONER'S HUSBAND AND 4TH RESPONDENT.

EXT.P2 TRUE COPY OF NOTICE ISSUED BY THE 2ND RESPONDENT DATED 11.4.2003 ISSUED TO THE PETITIONER.

EXT.P3 TRUE COPY OF NOTICE ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER DATED 12.6.2003

RESPONDENTS' EXHIBITS: NIL

TRUE COPY

P.S. TO JUDGE.

C.N.RAMACHANDRAN NAIR,J.

W.P.C. NO. 20245 OF 2003

Dated this the 16th day of March, 2007

JUDGMENT

The only defence put forward by the petitioner is that she is not the registered owner of the vehicle. However, standing counsel pointed out that petitioner operated the vehicle and hence liable as employer to pay motor transport workers welfare fund contribution. No appeal is seen filed against final determination and consequently petitioner is liable to pay the amount due under the adjudication order. W.P. is therefore devoid of any merit and is dismissed. However, petitioner is granted time till 15.4.2007 to clear the arrears, failing which recovery will be continued against the petitioner.

(C.N.RAMACHANDRAN NAIR)
Judge